

Attachment A

Mayor Miro Weinberger Announces Five Additional New Actions to Advance Transformation of Policing in Burlington

On Friday, September 25, 2020, Mayor Miro Weinberger announced the appointment of YMCA President and CEO Kyle Dodson as Director of Police Transformation to lead the City's work on forging a new consensus for policing in Burlington. Also on Friday, he announced five additional new actions to advance the transformation of policing in Burlington. The actions are related to discipline and accountability, body camera footage release, and resources for non-police emergency response. The actions respond directly to concerns raised by the Burlington residents protesting in Battery Park and other members of the Burlington community, and will complement the multiple efforts that the Administration, in partnership with the City Council and Police Commission, already has embarked on to root out systemic racism from policing and all areas of the City.

These actions are:

- 1. Issuing an Executive Order requiring the Chief of Police to formally present to the Mayor all disciplinary decisions for use of force incidents that result in injury to an individual or raise significant public concern before the Chief issues a decision.** The public is calling for accountability from its elected officials for police disciplinary decisions. However, the City Charter makes clear that, unlike other City departments, police disciplinary decisions are entirely up to the Chief of Police. Even as the City Council's Charter Change Committee examines a Charter Change to address this language, this executive order will immediately ensure that the Mayor has more oversight and responsibility for future disciplinary decisions.
- 2. Directing the City Attorney to review the City's contract with the Burlington Police Officers Association (BPOA) and make recommendations for potential future changes that are consistent with emerging best practices.** Though the City's contract with the BPOA extends through June 2022, police union contracts have received new scrutiny nationwide, and the Mayor wants to capture some of the City's current thinking on what areas it will seek to examine in the next contract. The Mayor has directed the City Attorney's Office to advise on areas for the City to review during the next round of bargaining and report back by the end of November 2020.
- 3. Requesting that the Burlington Police Commission approve a new body camera footage release policy.** A core demand of the Burlingtonians protesting in Battery Park is the creation of a new body camera footage release policy. The Administration also has supported the creation of a new policy for over a year, and the City has the responsibility to establish clear standards around when and how body camera footage will be released. Indeed, the lack of a clear policy around the release of footage led to the Burlington public finding out about the September 2018 police use of force incidents only when federal lawsuits were filed against the City, which was unacceptable and upsetting to many. To accelerate action in this area, the Mayor sent a letter to the Police Commission dated September 24, 2020 recommending a policy under which most body camera footage would be released within 30 days of a sensitive incident and requesting action from the Commission within a month and asking that this policy be approved by the end of October 2020.
- 4. Creating a Community Service Liaison pilot program.** Many members of the public have requested that the City increase resources for trained personnel who are not sworn police officers who can

respond to emergencies. In response to these calls, Mayor Weinberger's Fiscal Year 2021 budget includes a new, \$250,000 Public Safety Transformation Fund for new investments in "on street" social service initiatives and an operational assessment of the Police Department. To increase action in this area, the Mayor now also is requesting that the City Council approve a pilot program that would create two Community Service Liaison (CSL) positions at the Burlington Police Department. These positions would augment the work of our current, highly successful Community Affairs Liaison. CSLs would have social work backgrounds and not be sworn officers or carry lethal weapons. The CSLs would give the City new capacity to respond to and support individuals experiencing acute mental health episodes, expand the Police Department's efforts to pursue harm reduction strategies for individuals with substance use disorders, and add to the City's capacity to work with and support individuals experiencing homelessness. The Administration will bring a proposal on CSLs to the City Council for action in October 2020.

- 5. Developing a new policy on the release of investigations into officer conduct.** A recent records request appeal from *VT Digger* brought to the Mayor's attention that the City has long taken the position that investigatory records are confidential and not released to the public. However, in light of current concerns about police conduct, systemic racism, and institutional structures that unduly shield police actions from public view, as well as current relevant case law, Mayor Weinberger is committed to revisiting this practice and releasing as much information as possible about officer conduct, while balancing privacy and other concerns. Both the City and its police officers deserve a careful review of how best to begin this release. Therefore, Mayor Weinberger formally is requesting that the Police Commission immediately review the current practice on release of police disciplinary records and recommend a more transparent policy. The City also will seek to work with the State as it reviews this and other areas.

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